

### **REMARKS**

Reconsideration of this application, as amended, is respectfully requested. Claims 5-9 are currently pending in this application. Claims 23-34 have been added as new claims and are fully supported by the instant application as originally filed. Support for the amendments to claims 5, 6 and 7 is found at, for example, page 4, line 14 to page 5, line 5; and, page 6, lines 6-21. Support for new claims 23-34 is found at, for example, page 6, line 28 to page 7, line 18; and, page 8, lines 6-13. Consideration and entry of these amendments is respectfully requested.

### **INFORMATION DISCLOSURE STATEMENT**

Applicants have submitted copies of 40 references originally filed with the IDS of December 4, 2001. Applicants are in the process of obtaining copies of the remaining references and will forward the same to the Examiner immediately upon receipt.

### **OATH / DECLARATION**

Applicants are in the process of obtaining a corrected, executed declaration for this application. The executed document will be sent to the Examiner immediately upon receipt.

### **REJECTION UNDER 35 USC 102(b)**

Claims 5-9 (as they read on SEQ ID NO. 17) stand rejected under 35 U.S.C. 102(b) as being anticipated by Israeli et al. (U.S. Pat. No. 5,538,866). Applicants respectfully disagree as indicated below.

Claims 5-8 have been amended in this response, thereby eliminating the term "having". The '866 patent does not disclose a nucleic acid sequence encoding an isolated peptide derived from PMSA as represented by Formula I. As claimed, the peptide sequence is derived from PMSA. The term "derived" is meant to have its ordinary dictionary meaning of "obtain(ed) from a specified source" (Webster's Ninth New Collegiate Dictionary, 1985 by Merriam-Webster Inc.), meaning the PMSA derived peptide has an amino acid sequence obtained from and separated from the full-length PMSA sequence disclosed in the '866 patent. In addition, while the '866 patent discloses

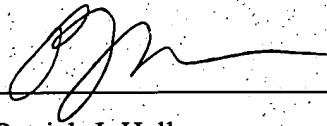
certain PSMA derived peptides and their respective nucleic acid sequences, none of those fall within the scope of Formula I in amended claim 5, upon which the remaining claims depend. Applicants respectfully maintain that Israeli does not anticipate the invention of claim 5 or any claims dependent thereon, and therefore request that this rejection be withdrawn.

### **CONCLUSIONS**

Applicants respectfully maintain that the pending claims are now in condition for allowance. It is requested that a Notice of Allowance for these claims be issued as soon as possible. The Examiner is encouraged to contact the undersigned with any questions and/or comments.

Respectfully submitted,  
AVENTIS PASTEUR

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